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FILED
U.S. DISTRICT COURT

2017 JAN 27 1:47

DISTRICT OF UTAH

BY: _____
DISTRICT OF UTAH - UNITED STATES DISTRICT COURT

CODY ROBERT JUDY,
PLAINTIFF,

MOTION FOR RELIEF OF JUDGEMENT
IN

CIVIL RIGHTS ANTI-TRUST LAW SUIT
42 U.S.C. -§ 1983 (Jury Trial Demand)&
Violation of the Sherman /Clayton Act

v.

Case No. 1:14cv00093

BARACK HUSSEIN OBAMA
aka BARRY SOETORO , DNC ,
ORGANIZATION FOR ACTION et al.,

JUDGE: Honorable ~~Bruce S. Jenkins~~
Ted Stewart

COMES NOW the Plaintiff, Cody Robert Judy, pro se, a Candidate in the 2008, 2012 and 2016 Election and submits this notice for action in a - MOTION FOR RELIEF OF JUDGEMENT in Civil Rights Anti-Trust Lawsuit 42 U.S.C. §1983 and violations of the conjoining Sherman/and/corresponding Clayton Acts of Congress pursuant FRCP TITLE 7 JUDGEMENT Rule 60 Relief from a Judgment or Order based upon new evidence that could not have been reasonably obtained, that without addressing , places the Court in jeopardy of corruption in upholding identity fraud to the public, and fraud upon the Plaintiff by the Defendants.

REFERENCE OF APPEAL AND ADJUDICATION OF THE CASE

1. This case was appealed to the United States Supreme Court whose last action is noticed on the docket October 8th, 2015 however a Motion to Re-open signed Feb 4, 2016 is not docketed placing it within a year as well as other Motions not docketed.

- a. <https://www.scribd.com/doc/298040296/CRJ-Report-MOTION-TO-REOPEN-and-RECONSIDER-MOTION-of-Forma-Pauperis>
- b. Mr. Judy squarely provided the U.S. Supreme Court with all updated pertinent banking information, assets and liabilities proving forthrightly he was wholly unable and was denied a Review of his Writ of Certiorari based solely upon his inability to perform the impossibility of Printing Cost and Court Fees totaling near \$5,000.00 for that Court representing an economic discrimination of egregious justice for all and this circumstance has already been used as a reference as precedent without merit of justice
 - i. It was not denied for numerous or repetitious filings noticed by ROSCUS PART 7 Practice and Procedure Rule 39.8
<https://www.scribd.com/document/270192631/Motion-Application-for-Time-Extension-Judy-v-Obama-14-9396>
 - ii. Mr. Judy was unable to raise the needed money in the amount of time given; and this Court as well as the U.S. Tenth Circuit heard the arguments granting forma pauperis standing in the exact same year represented to the U.S. Supreme Court. Federal Forma Pauperis Motions and Orders are granted for a year period as information is submitted for a year. FRAP Rule 24 (c) Leave to Use Original Record. A party allowed to proceed on appeal in forma pauperis may request that the appeal be heard on the original record without reproducing any part.

**REFERENCE TO EVIDENCE IN ORIGINAL PROCEEDING THAT WAS ON-GOING
IN LAW ENFORCEMENT LEGAL INVESTIGATION but REASONABLY WAS NOT AVAILABLE to
Plaintiff but now has been released.**

2. Found on page 10 8(a) and page 24 16(c) of the Original Complaint is a reference to the Evidence of Fraud perpetrated upon the Plaintiff as a Candidate for U.S. President 2008, 2012, and 2016 in the political race for the Office of the President as follows:
 - a. [This evidence is the combined effort of the investigation of law enforcement professionals within the Maricopa Country Arizona Sheriff Department under Sheriff Joe Arpaio and the Cold Case Posse findings which copulatively state the document Obama has distributed as his long form birth certificate is a fabrication as well as his draft registration.]

- b. [A legal law enforcement investigation- Sheriff Joe Arpaio & Cold Case Posse]
3. The New Evidence presented was released by the Maricopa Arizona Sheriff Office, the highest ranking authority in one of the largest counties in the USA on Dec. 13th, 2016 and was recorded.

The Recording is on many stations on YouTube widely distributed and free to the General Public and is undisputed by any other higher Government or representative of legal authority. Plaintiff provides three examples of the particular evidence which shows 9 points of Forgery on Barack Obama's long form birth certificate represented by him as an Original.

- a. FOX 10 Phoenix generating 704,000 views with a former Attorney General of AZ represented in acknowledgments Bob Corbin also a former County Attorney, and past president of the NRA along with Sheriff Joe Arpaio and Investigator Mike Zullo Dec. 15, 2016 1 hour 6 minutes:

<https://www.youtube.com/watch?v=jk3KRxTfkLM&spfreload=10>

- b. Outside Station generating near 250,000 Views as LIVE ON AIR NEWS

<https://www.youtube.com/watch?v=yuhF-Ok3djl>

- c. As well Plaintiff's own Station CODY JUDY YouTube Link that has generated 54,000 Views –Posted Dec 16th, 2016 – link 9 minute 46 seconds

<https://www.youtube.com/watch?v=BGEMH0Eil5c>

[Maricopa County Sheriff Joe Arpaio held a press conference in Phoenix on Thursday afternoon where he announced after a five year investigation his investigators have determined that the birth certificate presented by President Barack Obama was a fraudulently created document which has been represented as an official copy of the original certificate. The Sheriff's office said they have been working this case since August 2011 after the Tea Party asked him to investigate.

"We had to follow the evidence," Arpaio said during the press briefing. The lead investigator, Mike Zullo, presented a video which claimed to show the Obama birth certificate shows "9 points of forgery." He says they consulted several experts from all across the world including in Italy. We will post the video

here as soon as we get it. In the meantime, you can watch the press conference live.

WATCH PRESS CONFERENCE LIVE NOW:

The investigators took aim at the media for the way they have characterized their investigation. "You have continued to mischaracterized this.. This was not about where President Obama was born. This was about his birth certificate," said the Maricopa County public information officer.

"I didn't want to be the guy that figured everything out, I wanted it to be the clearinghouse," Zullo said during the press briefing.

84-year-old Arpaio lost his reelection bid in November to the Democratic contender. The sheriff is among the last high-profile "birthers" left, who question whether the President was born in the United States. Former birther President-elect Donald Trump held his own presser during his campaign, where he acknowledged that President Obama was indeed born in this country, and that he indeed had a legitimate birth certificate.]

PART II.

ARGUMENT FOR GRANTING MOTION FOR RELIEF OF JUDGEMENT

Under the Federal Rules of Civil Procedure Title 7 Judgement Rule 60 Relief from a Judgment or Order, many applications for GRANTING this Motion exists. These are notable as they apply to this Case as follows:

1. (b) Grounds for Relief from a Final Judgment, Order, or Proceeding. On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons: (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
 - a. Mr. Judy has brought to the Court new evidence constitution 9 Points of Forgery from a legal authority that the Court has no prejudice for. It is unrefuted by any legal authority or expert of the Courts Justice.

2. 3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
 - a. The fraud represented by the evidence presented by the legal authority of the Maricopa Sheriff Department Cold Case Posse Unit provides a substantial claim for the Plaintiff that Barack Obama was not born in the United States as President Donald Trump represented in a press conference September 16th, 2016 – when considering “Motive” for the Forgery <http://www.cnn.com/2016/09/15/politics/donald-trump-obama-birther-united-states/>
 - b. The Defendant Barack Obama was the only one responsible for waiting 50 months from the time he announced his Candidacy for President to the time he produced a long form birth certificate April of 2011. The cost for retrieving such is about (\$10.000) ten dollars.
 - c. Barack Obama’s own delay provoked investigation into authenticity and the cost of such is a dispute upon the Election system of the United States and definitely a dispute upon the circumstances of knowledge voters had in entering the Voting Booth in 2008, 2012 and 2016.
3. (6) any other reason that justifies relief.
 - a. Mr. Judy as a Presidential Candidate has represented the following as a measure of 8 Points of Legal and Just Precedent affording the Court a foundation of merit for considering the forgery of an identification document for the Office of the President an egregious fraud.
 - b. For a Candidate for U.S. President the qualifications of the Office of the President are a Civil Right as well as a Responsibility. The Courts accredited a lack of standing for dismissing the largest majority of Complaints against Obama not being a natural born Citizen based on the Plaintiff’s not being in the Race for President as a Candidate. This eliminated even Elected Members of Congress from a Court honored Standing in the Race.

<http://codyjudy.blogspot.com/2017/01/democrats-soften-on-nationalism.html>

SAVING OUR REPUBLIC NOW WATCH OUR STAND

8 POINTS FOR NATURAL BORN CITIZEN

WEB: WWW.CODYJUDY.US BLOG: WWW.CODYJUDY.BLOGSPOT.COM



- 1- There is no way you can have a people who are Citizens of the U.S. Constitution before it was ratified. That ratification created a new LEGAL JURISDICTION of LAW with which to be born under;
- 2- That's the REASON that ART. II., Section 1, C-5 included two different Qualifications for President In Time: a- [CITIZEN] at the Time of the Adoption of this Constitution b. [NATURAL BORN CITIZEN] for those thereafter ie. Born in the U.S. to Citizen Parents
- 3- Congress cannot make [natural born Citizens] with [naturalization (or in other words Adoption Law)]. The two terms are polar opposites as clearly as Adoption is from a literal Blood Birth Congress has [naturalization powers]
- 4- It is well said that the Constitution does not in fact say what a [natural born Citizen] is because there is no doubt that [born in the U.S. to Citizen Parents] clearly negates any Act or Determination by Adoption. There is no Judge in the United States who is going to say that anyone who is born in the U.S. to Citizen Parents is not a [natural born Citizen]. Get that? Zero!
- 5- Clearly the Qualification for Representatives and Senators is [Citizen] and not [natural born Citizen] It's a Constitutional Right that America can propagate her own [natural born Citizens] and a violation of our Declaration of Independence and the U.S. Constitution to adhere otherwise.
- 6- The 14th Amendment when ever it was used in argument was and always has been a [naturalization] argument not a [natural born Citizen] argument. (for those who argue Wong Kim Ark changed anything)
- 7- Minor v. Happersett clear states there was never a doubt that those born of the Country to it's Citizens are themselves the [natural born Citizens] and to the others there have been doubts. That's U.S. Supreme Court precedent.
- 8- Congress men and women 8 times since 2003 tried to change the definition but those attempts failed in Congressional Votes. Ask yourself why? Why attempt to change anything on the [natural born Citizen] requirement for President if it always meant [Citizen] as the requirement for Representatives and Senators has been? And why was [Citizen] actually mentioned in the Constitution for those who were present at the time of the Adoption if they could have been [natural born Citizens] in the first place?

4-(d) OTHER POWERS TO GRANT RELIEF. This rule does not limit a court's power to:

- (1) entertain an independent action to relieve a party from a judgment, order, or proceeding;
- (3) set aside a judgment for fraud on the court.

Notes of Advisory Committee on Rules—1946 Amendment

If the right to make a motion is lost by the expiration of the time limits fixed in these rules, the only other procedural remedy is by a new or independent action to set aside a judgment

upon those principles which have heretofore been applied in such an action. Where the independent action is resorted to, the limitations of time are those of laches or statutes of limitations. The Committee has endeavored to ascertain all the remedies and types of relief heretofore available by coram nobis, coram vobis, audita querela, bill of review, or bill in the nature of a bill of review. See Moore and Rogers, Federal Relief from Civil Judgments (1946) 55 Yale L.J. 623, 659–682. It endeavored then to amend the rules to permit, either by motion or by independent action, the granting of various kinds of relief from judgments which were permitted in the federal courts prior to the adoption of these rules, and the amendment concludes with a provision abolishing the use of bills of review and the other common law writs referred to, and requiring the practice to be by motion or by independent action.

Mr. Judy notices to the Court a host of very peculiar even corrupt practices by the Democratic Party Leadership or DNC Leadership during the Election of 2016 that included the resigning of even its top Chairmen Debbie Wasserman Schultz. The Candidate nominee Hillary Clinton, Loretta Lynch- A.G, and Donna Brazille DNC Chair also had very controversial actions affecting the dynamic of the Election 2016 that it can be argued stemmed more from ‘what we can get away with’ than ‘what can we achieve’.

<http://codyjudy.blogspot.com/2016/07/clinton-charity-keeps-on-giving-to-trump.html>

<http://codyjudy.blogspot.com/2016/11/before-you-vote-check-out-femme-fa-tale.html>

[As I reflected upon the very bad things that have happened in this Election Cycle of 2016 I couldn't get over the fact that Hillary Clinton, Loretta Lynch, Debbie Wasserman Schultz, and Donna Brazille have all been caught up in their own scandals that actually promoted unfairness, inequality, and dismissing opportunity.]

While it is probably not the Court's Interest to delve into all of these, and Political Parties generally have their own rules, it is the courts interest when a United States Election is incontrovertibly compromised by Fraud and the choice of over half of the United States has been relegated in the interest and trust of a very few. This is the very dynamic of this Action against those same voters who trusted and were taken in by the Fraud and had no standing. Mr. Judy has represented those people in this action as well as himself.

Indeed, The Birther Movement was incorporated by the man who moved on the oval office for Office of the President – President Donald Trump was shouted as The Birther Leader by his apposing candidate Hillary Clinton, but he never filed a single paper or ballot challenge. Would the dynamic of the American election in 2016 have changed if this fraud had been discovered sooner? The answer remains in the height of interest as Democratic Party lost the election in the Constitutional Electoral

College Vote. Was President Donald Trump involved in covering for Obama for favors he received in his business. There is evidence suggesting this tangling the Election 2016 up in the terms of Fraud.

Rewarding Fraud Awarding Forgery

<https://www.youtube.com/watch?v=ANghpkkVH8s>

President Trump is indeed a [natural born Citizen] everyone agrees he was indeed born in the U.S. to Citizen Parents at the time of his birth- this covers soil and both parents in an inherited citizenship from each combining to unequivocally represent [natural born Citizen]. There more than likely will not be a single case brought against his eligibility because it would be frivolous and without any merit. However, the ideal to rule by fiat has been necessarily implanted by Obama and unless reined in has set a precedent of governance by future Presidents and is on full display now.

Indeed, Mr. Judy had a case in 2008 against Sen. John McCain that was not looked upon as frivolous or without merit when Sen. McCain was found not being born in the United States.

<https://dockets.justia.com/docket/nevada/nvdce/2:2008cv01162/61642> *Judy v. McCain*
[2:2008cv01162](https://dockets.justia.com/docket/nevada/nvdce/2:2008cv01162/61642) it was declared Moot after the Election was lost by Sen. McCain and the responsibility was laid upon Obama.

One might ask the question “What difference does it make now the Election of 2016 is over that Obama is brought to Justice for a fraud?” Mr. Judy has outlined the significant cost to the Taxpayers’ as well the trust of the People who have been defrauded by this action here:

FAKE PRESIDENT PROPPED UP BY FAKE NEWS- What Difference Does It Make?
Let's Look as Tax-Payers!

<http://codyjudy.blogspot.com/2017/01/fake-president-propped-up-by-fake-news.html>

Let's look at this in a progressively increasing consequential way. In other words the least expensive to the most expensive.

- Obama's Presidential Retirement Package - Pension Amounts. Each former president receives the same salary as a current member of the Presidential Cabinet. For 2013, the amount was **\$199,700 per year**. This number does not take into account the extras the former leader is entitled to including a **\$96,000 stipend** for office staff payroll and free

postage for life. With Obama at age 55 and a conceivable 85 year old age cap - 30 years of this Retirement alone will cost Tax Payers close to nine million dollars (\$8,880,000.00)

- A CBS Report entitled, "How much did Republicans Cost You With Every Single Attempt to Repeal Obamacare?", places the Cost of Repealing Obamacare at 1.5 Million Dollars per Vote! The grand total to tax-payers for repealing just one ACT signed by an illegal person in the Office of the President is estimated at seventy-five million dollars (\$75,000,000.00) in fifty (50) attempts. Imagine the savings to Tax Payers with an [Ineligibility Hearing on Obama's Presidential Qualifications] as well the on-going Repeal & Replace that is happening in Congress now anyway?
- FORBES put together a Report entitled **Obama's Legacy Cost-An Abundance of Executive Actions** and extols; "benefit analyses exist for just a handful of the 3,000-plus rules issued annually. Interestingly, the number of memos exceeds the numbers of rules with Office of Management and Budget-reviewed cost-benefit analyses. In other words, while administrations often emphasize the alleged "net benefits" of major rules and assess such for only a handful, those few are rivaled by the number of "mere" memoranda 476, many of which appear significant. But even this just scratches the surface when we step back and look at thousands of unilateral decrees, guidance documents and proclamations by federal agencies beyond their thousands of "normal" regulations. The estimated Cost of the Trump Administration wading through this RED TAPE MOUNTAIN could be over two years and millions of dollars costing Tax Payers needlessly over illegal or unconstitutional actions that were not signed by a legally qualified Constitutional President. This could extend into whether Trump has success and captures a second term. This would include the 1% pay raise for Federal Workers total 2.5 Billion
- OBAMA'S VETO BILL -12 NOW need to be looked at in the Terms of an Ineligible Person in the White House wasting in ineligibility the Country's legislative Time. We can see that in Obama's Veto Bill the cost multiplying with the House and Senate's Time in

the legislative Branch to **10 in just the last two years** for a total of 12. This includes a **612 Billion Dollar Defense Spending Bill**.

- JUSTICE & THE COURTS EXECUTIVE AMNESTY The Huffington Post exposes in: "**Over Half The States Are Suing Obama For Immigration Actions**" The 26 states involved in the lawsuit, according to Texas, are: Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Louisiana, Maine, Michigan, Mississippi, Montana, Nebraska, Nevada, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia and Wisconsin equal to 5 million undocumented residents to remain in the US without fear of deportation for a period of three years. The litigation Cost during the Obama years has been exorbitant to Tax Payers, so think about the savings of not only the past but the future in litigation savings that will amount to Democrats suing the Trump Administration over 4 years that would be negated with Obama's Signature dismantled as ineligible?

OBAMA'S EXECUTIVE AMNESTY TO COST TAXPAYERS \$2 TRILLION

- THE COST OF U.S. HISTORY - The cost of future lives, Campaign Contributions contributed to illegal or unqualified persons based on the U.S. Supreme Court's falter to take the Case presented to them twice in *Judy v. Obama* (12-5276) (14-9396), remains to be seen, but surely will cost the most in many aspects from what Government Officials 'think' they can now get away with to what the common man on the street now 'thinks' he should be able to get away with based on the example that is set. The fracture to Justice and the Rule of Law is unprecedented. Nixon has the decency to resign, Obama has had no such decency but has boldly gone where no Forgery and Fraud has taken anyone - into the Office of the President calculated as the Usurpation of the Executive Branch of the U.S. Government. **10 Trillion** on Obama's watch.

Throughout history there are many examples of the fall of leaders and the examples they create from their falls. If the Court refuses to grant this Motion the worst thing that will be noticed is that Justice failed when it was served with all the evidence. Rather than judging something as frivolous it itself has participated in the moral decay of making itself frivolous and without merit. This cannot be

underestimated in the Populations respect for our System of Justice and who is and who is not above and below the Law. The decay of Justice encourages chaos, and conspiracy, and murder and mayhem.

SUMMARY

Mr. Judy would ask the Court to Grant this Motion for Relieve of Judgement, afford itself the right of Motion to clear itself of any inconsistencies of Justice, and afford the Parties so names the opportunity to bring to Trial all the Facts and Evidences that Discovery can afford for a remedy of what has been a painful and excruciating 8 year experience in dishonoring the Office of the President and it's qualifications in Article II, Section 1, Clause 5 of the U.S. Constitution.

Mr. Judy believes he has the right of Assistance of Council afforded by the Attorney General's Office for the Report of a Crime and violation under the Clayton Act which provides the responsibility of the Justices to assign the Prosecution of the Case to Acting Attorney Generals.

No Trial has ever been afforded all Ia' Presidential Candidate v. Presidential Candidate for the determination of [natural born Citizen] and that opportunity missed here may cause further harm to not only contributors in the future, but the confusion persistent with erosion of the United States of America even to the point of succession of the Union under the U.S. Constitution. Mr. Judy asks for a Hearing on the Motion if the Court finds the interest necessary and compelling as a matter of Justice.

All other remedies the Court might provide

Mr. Judy has a Civil Right to be afforded a fair and equitable compensation of damages.

Have you ever thought about actually running for President and what it takes, even when you lose?

January 24, 2017

CRJ Response: 355 Youtube Videos 200,000 Views more than half of which are Political Commercials Internet Videos

725 Blog Post – 405,000 Views www.codyjudy.blogspot.com

15 Cases throughout the U.S. standing up for the natural born Citizen qualification.

2 U.S. Supreme Court Cases 12-5276 14-9396

Eight Year Standing Web Site- 80 pages on most every subject of Politica. www.codyjudy.us

Staff volunteer

Over 1,000 Radio Commercials

Published Book with Platform – Taking A Stand

Social Media Representation Facebook, Twitter, Scribd, Web Interviews, Other Reports filled out by
Candidates for dozens of organizations.

200+ Featured Editorials

- Cody Robert Judy a Candidate for U.S. President
- https://ballotpedia.org/Cody_Robert_Judy
- <http://2016.candidate-comparison.org/?compare=Judy>
- <http://www.fec.gov/fecviewer/CandidateCommitteeDetail.do?candidateCommitteeId=P20003372&tabIndex=3>

Biographical Book : ***TAKING A STAND - The Conservative Independent Voice*** /Released for 2008
run for President is heralded as one of the most remarkable intriguing stories of modern U.S.

Political History!

Google Review

Barnes & Noble



CODY ROBERT JUDY

Online Blog

www.codyjudy.blogspot.com - Just celebrated over 405,000 views world wide

Signed and submitted this 26th day of January, 2017

Cody Robert Judy /pro se

A handwritten signature in black ink, which appears to be 'Cody Robert Judy', written over a horizontal line.

Certificate of Mailing Certificate Affidavit

In compliance with 28 U.S.C §1746 reciting the facts and circumstances of service in accordance to federal guides I certify I

SERVED BY UNITED STATES MAIL: On (date) January 26th, 2017, the following persons and/or entities at the last known addresses in this

MOTION FOR RELIEF OF JUDGEMENT

IN

CIVIL RIGHTS ANTI-TRUST LAW SUIT

42 U.S.C. -§ 1983 (Jury Trial Demand)&

Violation of the Sherman /Clayton Act

Case No. 1:14cv00093

or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows

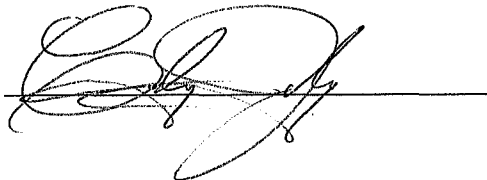
Defendants Mailing address:

Mr. Barack Obama
2446 Belmont Road
Kalorama, Washington DC 20008

Democratic National Committee
430 South Capitol St. SE
Washington, DC 20003

Main phone number:
202-863-8000

Signature of Mailer

A handwritten signature in black ink, appearing to be "E. J. [unclear]", written over a horizontal line.